REMARKS

I.   Present Disposition of the Claims

The Applicant wishes to reiterate thanks to the Examiner for the useful comments in the non-final Office Action mailed May 7, 2003. The present invention generally relates to broadcast systems that include the transmission of digital information. More particularly, the present invention relates to broadcast systems that include the transmission of the full digital information content using existing audio/video broadcasts through the utilization of software tools that source, schedule, transmit and receive computer-type digital source information over a broadcast medium to a user.

The Summary of the Invention paragraph has been herein amended, without prejudice, to better encompass the full scope and breadth of the present invention, notwithstanding the Applicant's belief that the Specification was allowable as originally filed.

Specifically, the Specification on page 11, line 22 has been herein amended by replacing VBI with "Vertical Blanking Interval (VBI)", without prejudice to clarify the definition of this well-known term in the art. No new matter was introduced during this Amendment to the Specification. In addition, dependent Claim 14 has been herein amended to correct an informality, i.e., a terminating period. Therefore, reconsideration of the present application in light of the foregoing proposed amendment and these remarks is respectfully requested.

II.   Rejection of Claims 2, 6, and 12 under 35 U.S.C. § 112, second paragraph:

Claims 2, 6, and 12 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter the Applicant regards as the invention. The Office Action states:

> As per claims 2 and 6 the limitation, a system wherein: said server-end means further comprises communication means for facilitating transmission of said entire digital database content via IP-Multicast, RS422, RS322, and TCP/IP type of communications links for further broadcasting via conduits selected from a group of conduits that comprise television VBI, radio subcarrier, satellite (DSS, DVB), MPEG-2, paging networks, telephone networks, local area networks, and the Internet is unclear. The limitation "VBI" is unclear and is not explained in the specification.

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The Applicant has herein amended the Specification to include the definition of VBI. In particular, the term "VBI" known as Vertical Blanking Interval is a well known term in the art, as shown in Exhibit 1. Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

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III. Rejection of Claims 1 and 5 under 35 U.S.C. § 102(e):

Claims 1 and 5 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Agraharam et al. (US 6,389,471) (Agraharam), stating:

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> As per claim 1, Agraharam discloses a broadcast system, said broadcast system comprising: a server-end means for scheduling, gathering and transmitting an entire digital database content of at least one type of digital information service, said server-end means having means for encoding said full-digital data content for being broadcasted (column 2, lines 1-6 and 41-58; column 4, lines 61-68; column 5, lines 5-15); and a client-end means for decoding and receiving the broadcasted full-digital database content and providing the full informational content of said at least one type of digital information services (column 3, lines 21-45; column 5, lines 15-39 and 58-64).

Contrary to the present invention, Agraharam teaches "[a] system including at least one
20 **conductor terminal 101, client terminals 103 and 104**, and a Broadcast World Wide Web Service (BWS) Center 100 of which the major functions include the storage, formatting, scheduling, and transmission of a multimedia session to **a desired audience of the client terminals**" (Col. 2, ll. 1-8). "The BWS Center 100 is illustratively linked directly to the client terminals 104 through a broadcast medium 310, which may be satellite transmission, cable
25 television, (CATV), wireless CATV, terrestrial television, ISDN, ADSL, fiber optic connections or any other medium that can reach multiple receivers simultaneously, preferably with high bandwidth" (Col. 2, ll. 41-47). "The client terminals 104 can receive the broadcast session directly from the BWS center 100 at the time specified by the session conductor" (Col. 3, ll. 21-23). Further, "[t]he session conductor specifies the multimedia documents to
30 present to the session audience, and directs the BWS Center 100 to broadcast the specified multimedia documents according to the MDIDs as the broadcast session" (Col. 5, ll. 5-10). The session conductors presentation may include, for example, training/teaching seminars, telemarketing, teleshopping and other multimedia presentations contained in the transmitted multimedia documents. In other words, Agraharam teaches a network broadcast system 100
35 having **a session conductor that specifies the multimedia documents to broadcast to the**

predetermined clients 103, 104.

In contrast to Agraharam, the presently claimed invention does not receive just one multimedia document specified by a session conductor, but is a broadcast system providing "a client-end means for decoding and receiving the broadcasted full-digital database content and **providing the full informational content of said at least one type of digital information services."** In other words, **the present invention** allows the client receiver to receive multiple types and numbers of unrelated input files at the same time; namely, services, ... (Specification, p. 6, ll. 18-20). Specifically, "**[s]ervices** are defined as a logical grouping of computer files (Specification, p. 6, ll. 20-25). "**Services include** by example, **a standard file, which are unrelated grouping of files**, a website sever which are files that make up a WWW site, program guide services, which are files used to update the client program guide listing and rotational file services, which are unspecific related grouping of files" (Specification, p. 6, ll. 21-25). Stated differently, the present invention provides that a user will receive the full **digital content of said at least one type of digital information services** while **Agraharam** system only allows the client to receive **a broadcast multimedia document specifically sent** by the session conductor. Additionally, the type of information that Agraharam sends to the client is different than the client would receive from the present invention. Specifically, the Agraharam system sends out **training/teaching seminars, telemarketing, teleshopping and other multimedia presentations** for the client while the present invention client receives **the full digital content of services**, e.g., "receive unrelated or unspecific related groupings of files"(Specification, p. 6, l. 21-25).

Thus, Agraharam does not teach independent Claim 1 reciting:

1. **(Original)** A broadcast system, said broadcast system comprising:
    a server-end means for scheduling, gathering and transmitting an entire digital database content of at least one type of digital information service, said server-end means having means for encoding said full-digital data content for being broadcasted; and
    a client-end means for decoding and **receiving the broadcasted full-digital database content** and providing **the full informational content of said at least one type of digital information services.**

As such, Agraharam does not teach independent Claim 1 nor the dependent Claim 5 subsuming the limitations of independent Claim 1. Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

III.   Rejection of Claims 7, 10, 11, and 13-19 under 35 U.S.C. § 102(e):

Claims 7, 10, 11, and 13-19 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Mugura et al. (US 6,518,986) ("Mugura"), stating:

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> As per claim 7, Mugura discloses a method for providing digital information with existing audio/video broadcasts, said method comprising: selecting at least one end-user selected computer file (column 4, lines 54-67; column 6, lines 1-33; column 12, lines 1-23), breaking down the computer file into at least one packet of digital information (column 4, lines 38-54); broadcasting the packet (column 4, lines 23-37); receiving the packet at an end-user (column 4, lines 37-54); and reassembling the packet into the computer files (column 4, lines 64-67; column 5, lines 1-14).

Contrary to the present invention, Mugura teaches a method and apparatus for

15 providing an on-screen program user guide for a Direct Satellite System (DSS). The DSS has the following component parts: **an antenna 3, an integrated receiver/decoder 2(IRD), a remote controller 5, and a monitor 4** (Col. 4, ll. 37-41). "**Packets of data** are transmitted by a transponder on the satellite" (Col. 4, ll. 41-43). "**A tuner 21 of a decoder is tuned [to] the frequency of the transponder corresponding to the channel**, which is designated by a viewer so [the] **packets of digital data are received by the decoder**" (Col. 4, ll. 44-46). The

20 antenna 3 receives an encoded data signal that is decoded by an IRD (Col. 4, ll. 48-49). The decoded data is downconverted in frequency using a low noise block down converter which is supplied to the IRD (Col. 4, ll. 48-51). Afterwards, the monitor 4 receives a signal from the IRD (Col. 4, 54-55).

Further, Mugura teaches "The transport IC 24 receives the data stream, from the error

25 correcting circuit 23 and directs portions of the data stream to the appropriate circuit for processing" (Col. 4, ll. 64-67). "Further, the transport IC stores the header in registers and uses the headers to direct the data" (Col. 5, ll. 1-3). "Data that is identified by its header to be audio data is transferred to MPEG audio decoder 26" (Col. 5, ll. 5-7). "Data that is identified by its header to be video data is transferred to MPEG video decoder" (Col. 5, ll. 7-

30 11). "Data that is identified by its header that identifies the data to be EPG data is transferred to a predetermined area in the data buffer 51 designed to store the EPG" (Col. 5, ll. 10-14). "The MPEG video decoder 25 decodes the video signal received from the transport IC" (Col. 5, ll. 29-30). "The decoded digital video signal is supplied to a National Television System Committee (NTSC) encoder 27 and converted to a luminance signal (Y) and a chroma signal

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which are respectfully output to a buffer amplifier 28Y or 28C as S video signal" (Col. 5, ll. 35-39). "Thus, when a user wishes to **display a form of the Electronic Program Guide (EPG) on the screen, the CPU 29**, accessing **pointers stored in the SRAM 36,** communicates to the transport IC 34 to retrieve the data from the data buffer (SRAM) 51 identified by the pointers" (Col.6, ll. 3-7). As noted above, the RAM 51 stores EPG data including guide data, channel data, and program data" (Col. 6, ll. 35-57). The guide data is the general information like time (Col. 6, ll. 37-39). The channel data includes channel number, channel name, ... (Col. 6, ll. 40-45). The program data includes the program title, state time, time length of the program, ... detailed description of the program (Col. 6, ll. 51-59). Thus, Mugura is a broadcasting EPG system where the broadcaster transmits packets of data, the user selects the tuner frequency to receive the desired EPG, and the desired EPG is displayed on the user's screen.

In contrast to a Mugura system where a broadcaster transmits the data and, a user selects the tuning frequency to receive the desired data, the present invention claims a method for " **selecting at least one end-user selected computer file, breaking down the computer file into at least one packet of digital information, broadcasting the packet; and receiving the packet at an end-user, and reassembling the packet into computer files.**" Specifically, in the present invention, **the end-user selects the file that will be broke down into packets before the packets are broadcasted** while Mugura **teaches a broadcaster selects the file that will be broke down into packets before the packets are broadcasted.** In addition, the present invention computer file is the full digital content of the signal (Specification, p. 3, 1-7) while the Mugura file consists merely of an electronic program guide (EPG) and pointers to the actual file containing the desired program content. In summary, the present invention where the end-user actively selects the files to be packetized before being broadcast to end-user is not taught, suggested, nor motivated by independent Claim 7.

Thus, Mugura does not teach independent Claim 7 reciting:

7. (previously amended) A method for providing digital information with existing audio/video broadcasts, said method comprising:
         selecting at least one end-user selected computer file,
         breaking down the computer file into at least one packet of digital information;
         broadcasting the packet;
         receiving the packet at an end-user;
         reassembling the packet into the computer files.

As such, Mugura does not teach independent Claim 7 nor the dependent Claims 10, 11, 13-19 that subsume the limitations of independent Claim 7. Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

5   **IV.   Rejection of Claims 2-4 and 6 under 35 U.S.C. § 103(a):**

Claims 2-4 and 6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Agraharam et al. (US 6,389,471) ("Agraharam"), in view of Schuster et al. (US 6,151,636) ("Schuster"). The Applicant respectfully hereby traverse these grounds for rejection.

10   Dependent Claim 2 was rejected in the Office Action with the statement "[o]ne of ordinary skill in the art would have been motivated to do this so that there would be more ways of connecting the server to the client and more types of information could be received."

Contrary to the present invention, the primary cited reference Agraharam, as discussed supra, merely teaches **a network broadcast** system 100 having **a session conductor that**

15   **specifies the multimedia documents to broadcast to the predetermined clients 103, 104.** The broadcast media may be satellite transmission, cable television (CATV), wireless CATV, terrestrial television, ISDN, ADSL, fiber optic connections or **any other medium that can reach multiple receivers simultaneously,** preferably with high bandwidth (Col. 2, ll. 41-47). As stated in the Office Action, "Agraharam does not disclose supporting RS422, RS232

20   communications means and for broadcasting via conduits that comprise paging networks, [and] telephone networks." In addition, as shown above, **the cited reference Agraharam teaches a user receiving multimedia documents that are related to a presentation by a session conductor.** In contrast to Agraharam, the present invention broadcast system supports **broadcasting RS422, RS232, paging, and telephone networks** to multiple users **receiving**

25   **the full digital content of at least one type of digital information services, e.g. a standard file, which are an unrelated grouping of files.** Thus, dependent Claim 2 **allowing a user to receive the full digital information of services, i.e., unrelated groupings of files** is not taught, suggested, nor motivated by Agraharam.

As stated in the Office Action, "Schuster discloses connections to client computers and

30   processors and paging and telephone networks." However, Schuster merely teaches that a data stream may be sent through a lossy media, broken up into individual packets, and transmitted

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through communications links that may be for wired or wireless communication paths including, for example, copper wire, fiber optic, T1, ISDN, cellular, microwave or satellite links (Col. 1, ll. 59-67; Col. 6, ll. 38-52). Thus, Schuster does not teach, suggest, nor motivate the present invention where the user **receives the full digital content of at least one type of digital information services, e.g. a standard file, which are an unrelated grouping of files.**

At best, Agraharam even in view of Schuster, merely teaches, suggests or motivates that **the simultaneous transmission of signals** from the session conductor to one or more predetermined users may be encoded, broken up into packets, and linked **between wired and wireless communication paths**, while the present invention teaches **receiving the full digital content of at least one type of digital information services, e.g., a standard file, which are an unrelated grouping of files.**

Further, the statutory basis for rejections of the aforementioned claims provides that ". . .[a] patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made," 35 U.S.C. 103(a). Further, the Manual for Patent Examiners' Practice paragraph 2142 addresses the same basis for rejection, mandating that ". . .[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991), MPEP Section 706.02(j). "Mere fact that prior art may be modified to reflect features of claimed invention does not make modification, and hence claimed invention, obvious unless desirability of such modification is suggested by prior art . . .", *In re Fritch,* 922 F.2d 1260, 23 USPQ.2d 1780,

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at p. 1780 (Fed. Cir. 1992).

Moreover, where each reference fails to state each and every element of the claimed invention or provide a rationale to modify the elements present, reliance upon a broad statement of 'obvious design' is not an appropriate basis of rejection under 35 U.S.C. 103(a).

5 According to *In re Gal*, 25 USPQ2d 1076 at 1079, "[t]he Commissioner does not explain why or how Matsumura, or the general knowledge of the art, provides a teaching, suggestion, or motivation to modify the Matsumura chip structure in order to produce the Gal chip structure." Note that *Gal* has been characterized as stating that a "finding of 'obvious design choice' precluded where the claimed structure and the function it performs are different from

10 the prior art." *In re Chu*, 36 USPQ2d 1089 at 1095. This view is supported by *In re Lee*, rejection of claims based upon an assumption of 'obvious design' cannot stand. *In re Lee* states that:

15 This court explained in *Zurko*, 258 F.3d at 1385, 59 USPQ2d at 1697, that "deficiencies of the cited references **cannot be remedied by the Board's general conclusions** about what is ˋbasic knowledge' or ˋcommon sense.'" The Board's findings must extend to all material facts and must be documented on the record, lest the "haze of so-called expertise" acquire insulation from accountability. "**Common knowledge and common sense**," even if assumed to derive from the agency's

20 expertise, **do not substitute for authority when the law requires authority**. *See Allentown Mack*, 522 U.S. at 376 ("Because reasoned decision making demands it, and because the systemic consequences of any other approach are unacceptable, the Board must be required to apply in fact the clearly understood legal standards that it enunciates in principle ....") In re Lee, 61 USPQ2d 1430, 1434 (CA FC 2002).

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As such, the Office Action stating, "Agraharam does not disclose supporting RS422, RS232 communications means and for broadcasting via conduits that comprise paging networks, telephone networks" without stating any other reasoning than"one ordinary skilled in the art [would] combine the links of Agraharam with the links and broadcasting means of

30 Schuster does not satisfy the requirement of a 103(a) rejection. Stated differently, "**Common knowledge and common sense**," even if assumed to derive from the agency's expertise, **do not substitute for authority when the law requires authority**. As such the references cited to reject the Applicant's claims do not in fact provide an adequate basis for rejection under 35 U.S.C. 103(a), the Applicant respectfully requests that the rejections be withdrawn and Claim

35 2 pass to allowance.

With respect to dependent Claim 3, Applicant respectfully submits that this claim is allowable based on subsuming the limitations of independent Claim 1.

With respect to dependent Claim 4, Applicant respectfully submits that this claim is allowable based on subsuming the limitations of independent Claim 1. Additionally, dependent Claim 4 includes additional limitation of "a selected electronic network site" is not taught, motivated, nor suggested by the prior art.

The Office Action rejected Claim 6 with the statement "at the time the invention was made, it would have been obvious to one of ordinary skilled in the art to combine the links of Agraharam with the links and broadcasting means of Schuster" without stating any other reasoning than "[o]ne of ordinary skill in the art would have been motivated to do this so that there would be more ways of connecting the server to the client and more types of information could be retrieved."

Further, the Office Action stated that Agraharam teaches "a first client-end application program means for decoding and receiving the full content of said broadcasted encoded digital information" (Column 2; ll. 1-6, Column 3, lines 40-46 and 60-63). However, Agraharam merely teaches "the resulting assembled multimedia information is stored in the presentation server 312, to be retrieved and broadcast to the client terminals 103 and 104 as part of a multimedia session at a later, specified time through the communication sever 308" (Col 3, ll. 2-6). In addition, Agraharam does not state anything about **local storage for client terminals** but instead teaches "a Broadcast World Wide Web Service (BWS) Center 100 of which major functions include the **storage, formatting, scheduling, and transmission of multimedia session to a desired audience of client terminals**" (Col. 2, ll. 1-6, Col. 3, ll. 1-5). Thus, independent Claim 6 reciting "means for retrieving a first type of digital information, and storing the entire contents of said information locally" is not taught, suggested, nor motivated by Agraharam.

Moreover, the Office Action stated that Agraharam teaches "a second server-end application program module for scheduling tasks for external modules; facilitating centralized organization of tasks and services provided to a client (Column 2, line 1-6). However, Agraharam merely teaches "a Broadcast World Wide Web Service (BWS) Center 100 of which major functions include the storage, formatting, scheduling, and transmission of a multimedia session to a desired audience of client" (Col. 2, ll. 1-6). Thus, on a closer reading of

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Agraharam, no mention is made of Claim 6 reciting the limitation "a second server-end application program means for issuing and responding to remote commands and reporting on the status of a task to remote modules"; thus, Agraharam does not teach, suggest, nor motivate independent Claim 6.

The Office Action further states "[a] second client application program guide for decoding and receiving full content of said broadcasted encoded digital information (Column 3, lines 20-46)." On a closer reading, Agraharam teaches a "[s]ession audience receives audiovisual content of the transmitted session on their associated terminals, and may also engage in audio interaction with the session conductor during transmission" (Column 3, lines 37-40). Thus, Agraharam does not teach, suggest, nor motivate independent Claim 6 and should be allowable.

In addition, the Office Action states "[a]t the time of the invention was made, it would have been obvious to one of ordinary skill in the art to combine the links of Agraharam with the links and broadcasting means of Schuster." On a closer reading, Schuster, as discussed supra, describes an data media encoding scheme. Thus, at best, **Agraharam in view of Schuster** teaches, suggests, or motivates **a single broadcast system with data media encoding scheme** while the **present invention teaches a multiple server**, i.e. a first server-end application module means and a second server-end application module, **and a multiple client**, i.e., a first client-end application programs means, and a second client-end application program guide, **system.**

Thus, Agraharam in view of Schuster does not teach, suggest, nor motivate independent Claim 6 reciting:

> 6. (previously amended) A contents-based digital data broadcast system, said system comprising:
>
> a first server-end application program means for **retrieving a first type of digital information, and storing an entire contents of said digital information locally**;
>
> a first server-end application module means for encoding, transmitting scheduled services including said entire contents of said digital information, said first application module comprising means for supporting IP-Multicast, RS422, RS232, and TCP/IP communications and means for broadcasting said encoded entire contents of said digital information via conduits consisting of television, VBI, radio subcarrier, Digital Satellite System (DSS), Digital Video Broadcasting (DVB), MPEG-2, paging networks, telephone networks, local area networks, and the Internet;
>
> a second server-end application module means for scheduling tasks for external modules; facilitating centralized organization of tasks and services provided to a client;
>
> a second server-end application program means for issuing and responding to

remote commands and reporting on a status of a task to remote modules;

a first client-end application program means for decoding, receiving the full content of said broadcasted encoded digital information; and

a second client end application program guide means for facilitating selection of which service to receive, viewing a schedule of incoming services, and review of a catalog of what services have been received, said program guide means further providing a rotating information banner.

As such, Claims 2-4, and 6 should be allowable because the cited reference Agraharam in view of Schuster do not teach, motivate, nor suggest the above invention. Thus, the Applicant respectfully requests that all rejections be withdrawn with respect to Claims 2-4 and 6 and these claims pass to allowance.

V.   Rejection of Claims 8 and 9 under 35 U.S.C. § 103(a):

Claims 8 and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mugura et al. (US 6,518,986) ("Mugura"), in view of Schuster et al. (US 6,151,636) ("Schuster"). The Applicant respectfully hereby traverse these grounds for rejection.

As to Claim 8, the Office Action states "one ordinary skilled in the art would be motivated to do this because it enhances the efficiency of the information being sent and allows a sequence of packets to be sent more efficiently and arrive at the client faster and intact." First, Claim 8 should be allowable by virtue of its dependency on independent Claim 7. Second, the references do not teach, motivate, nor suggest the present invention. Specifically, the Office Action does not teach, motivate, nor suggest the Claim 7 limitation **"wherein said at least one end-user selected computer file comprises multiple services that are unrelated"** because, Mugura, as shown supra, even in view of Schuster merely teaches, motivates, or suggests a broadcast system where a user controlled pointer **determines which file; i. e., packets of information, to download for a chosen television program.** In contrast, the present invention broadcast **system sends multiple unrelated services within the same file.** For example, the services could include a website, program site services, rotational files services, ... (Specification, p. 6, ll. 18-23). Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

As to Claim 9, the Office Action states "that one of ordinary skill in the art would be motivated to combine transmitting the digital information of Mugura [with] the steps of wrapping the information of Schuster because it enhances the efficiency of the information

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being sent and allows a sequence of packets to be sent more efficiently and arrive at the client faster and intact." First, Claim 9 should be allowable by virtue of its dependency on independent Claim 7. Second, the references don't teach, motivate, nor suggest the present invention. Specifically, the Office Action does not teach, motivate, nor suggest the Claim 7 limitation **"wherein said at least one end-user selected computer file comprises multiple services that are unrelated"** because, Mugura, as shown supra, even in view of Schuster merely teaches, motivates, or suggests a broadcast system where a user controlled pointer **determines which file, or packets of that chosen file,** i.e., a television program, to download. In contrast, the present invention broadcast system **sends multiple unrelated services within the same file.** Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

As such, Claims 8 and 9 should be allowable because, as shown supra, the cited references Murand in view of Schuster does not teach, motivate, nor suggest the above invention. Thus, the Applicant respectfully requests that all rejections be withdrawn with respect to Claims 8 and 9 and these claims pass to allowance.

V.   Rejection of Claim 12 under 35 U.S.C. § 103(a):

The Examiner has rejected Claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Mugura et al. (US 6,518,986) ("Mugura"), in view of Schuster et al. (US 6,151,636) ("Schuster"), as applied to Claims 8 and 9 above, and further in view of Agraharam et al. (US 6,389,471) ("Agraharam"). The Applicant respectfully hereby traverses these grounds for rejection.

With respect to dependent Claim 12, Applicant respectfully submits that this claim is allowable based on its dependency on independent Claim 7. Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

VI.   Rejection of Claim 20 under 35 U.S.C. § 103(a):

The Examiner has rejected Claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Mugura et al. (US 6,518,986) ("Mugura"), in view of Menand et al. (US 5,548,532) ("Menand"). The Applicant respectfully hereby traverses these grounds for rejection.

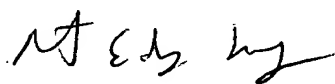As to Claim 20, the Office Action states "at the time of the invention, it would have

been obvious to one ordinary skilled in the art to combine the packets of Mugura with the packet length of Menand." First, Mugura, as shown supra, even in view of Menand, as shown supra, teaches, motivates, or **suggests a broadcast system that provides interactive on screen programming for a user** while in contrast, the present invention teaches a broadcast service

5   **wherein said at least one end-user selected computer file comprises multiple services that are unrelated**. Second, the Office Action does not show how the references suggest nor motivate the claimed combination; therefore, the Examiner has not meet the requirements for a prima facie case of obviousness. Therefore, the Applicant respectfully requests that these grounds for rejection be withdrawn.

10   As such, Claim 20 should be allowable because, as shown supra, the cited references Mugura in view of Menand do not teach, motivate, nor suggest the above invention. Thus, the Applicant respectfully request that all rejections be withdrawn with respect to Claim 20 and these claims pass to allowance.

CONCLUSION

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Accordingly, the Specification, and dependent Claim 14 have been herein amended to better encompass the full scope and breadth of the present invention, notwithstanding the Applicant's belief that application would had been allowable as originally filed. The proposed amendments to the Specification and the claim are believed to be fully supported by the

20   originally filed Specification. For all the above advanced reasons, the Applicant respectfully submits the application is in condition for allowance. Therefore, favorable consideration of the foregoing proposed amendment and remarks is kindly requested. *The Examiner is further cordially invited to telephone the undersigned for any reason which would advance the pending claims to allowance.*

Respectfully submitted,

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EXHIBIT 1

DEFINITION OF VBI -
VERTICAL BLANKING INTERVAL

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Browse alphabetically:

A B C D E F G H I J K L M N O P Q R S T U **V** W X Y Z #

All Categories ⟶ Telecom ⟶ Local Loop/Access Network

vertical blanking interval

The vertical blanking interval (VBI) is a portion of a television signal that can carry information other than video or audio, such as closed-caption text and stock market data. The interval in sending a video signal is required for the time it takes the electron gun in a television monitor's cathode ray tube (CRT) to move back up to the top of the tube. VBI data can be inserted by a cable TV provider and transmitted to a special receiver that connects to a computer's RS-232C port.

Last updated on: Jul 26, 2001

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EXHIBIT 1